

## REMARKS

Claims 1 – 3, 7 – 11, and 13 - 19 remain in the present application.

### Claim Objections/ Allowable Subject Matter.

The preset Office Action indicates that Claims 6, 12 – 15 and 20 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for indicating the allowable subject matter and have rewritten independent Claims 1, 8, and 17 to add the elements and limitations of Claim 6, 12 and 20 respectively.

### 112 Rejections

Claims 10, 12-16 and 19 are rejected under 35 U.S.C. 112 as being indefinite. The present Office Action asserts that the term “adequate” is indefinite and the specification does not provide a standard for ascertaining “adequate”. Applicants respectfully disagree and request the Examiner to reconsider. Applicants respectfully direct the Examiner’s attention to page 28 paragraph 2 of the specification in which several examples of how an adequate level of protection can be determined.

### 102 Rejections

Claims 4, 5 and 6 no longer remain in the present Application. Applicant respectfully asserts the 102 rejections for Claims 4, 5 and 6 are mute and the remaining claims are in a condition for allowance.

In the above referenced Office Action, Claims 1, 2, 4, 5, 7 –11 and 16-19 are rejected under 35 U.S.C. 103 (a) as being anticipated by Marconcini et al. (US Patent No. 6,834,110). Claims 6, 12 and 20 are stated as being allowable if rewritten in independent form including all of the limitations of their respective base claim and any intervening claims.

Claim 6 depended from independent Claim 1. Accordingly, Applicant has herein amended Claim 1 to include the limitations of Claim 6 to comply with the allowable subject matter indication. Consequently, Applicant respectfully asserts that Claim 1 overcomes the stated 35 U.S.C section 103 (a) rejections and Claims 2, and 7 are allowable as depending from an allowable independent claim and are now in condition for allowance.

Claim 12 depended from independent Claim 8. Accordingly, Applicants have herein amended Claim 8 to include the limitations of Claim 12 to comply with the allowable subject matter indication. Applicants have not included the limitations of Claims 9 and 10 as Applicants respectfully assert that the limitations of Claims 9 and 10 are not necessary to overcome the cited references. Consequently, Applicant respectfully asserts that Claim 8 overcomes the stated 35 U.S.C section 103 (a) rejections and Claims 9 -11 and 12-16 are allowable as depending from an allowable independent claim and are now in condition for allowance.

Claim 20 depended from independent Claim 17. Accordingly, Applicants have herein amended Claim 17 to include the limitations of Claim 20 to comply with the

allowable subject matter indication. Applicants have not included the limitations of Claims 18 and 19 as Applicants respectfully assert that the limitations of Claims 18 and 19 are not necessary to overcome the cited references. Consequently, Applicant respectfully asserts that Claim 17 overcomes the stated 35 U.S.C section 103 (a) rejections and Claims 18 and 19 are allowable as depending from an allowable independent claim and are now in condition for allowance.

### 103 Rejections

In the above referenced Office Action, Claims 1, 2, 4, 5, 7 –11 and 16-19 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Davis et al. (US Patent No. 5,825,879). Claim 6 is stated as being allowable if rewritten in independent form including all of the limitations of their respective base claim and any intervening claims.

Claim 6 depended from independent Claim1. Accordingly, Applicant has herein amended Claim 1 to include the limitations of Claim 6 to comply with the allowable subject matter indication. Consequently, Applicant respectfully asserts that Claim 1 overcomes the stated 35 U.S.C section 103 (a) rejections and Claim 3 is allowable as depending from an allowable independent claim and are now in condition for allowance.

### Conclusion

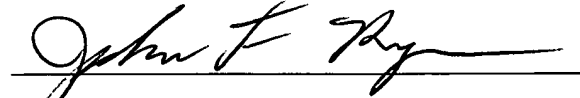
In light of the above-listed amendments and remarks, Applicant respectfully requests allowance of the remaining Claims. The examiner is urged to contact

Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO

Date: 10/4/, 2005

A handwritten signature in black ink, appearing to read "John F. Ryan", written over a horizontal line.

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